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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,934	10/28/2003	Yasunobu Sakaguchi	Q78044	4151

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EXAMINER

WORKU, NEGUSSIE

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/693,934

Applicant(s)

SAKAGUCHI, YASUNOBU

Examiner

Negussie Worku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date 10/23/03.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-19 have been examined in the application. Claims 1 and 16 are independent, and claims 2-15, 17-19, are dependent.

2. The preliminary amendment filed October 28, 2003, has been reviewed and considered.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on October 28, 2003, has been reviewed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Claim Rejections - 35 USC § 112

4. Claims 1 and 16, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular claims 1 and 16, "conveying means the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read or a vicinity thereof comes to be located at the predetermined reading position, and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the

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image to be read.” it is confusing and is not understood to one skilled in the art, as indefinite for failing to claim which the applicant regards as the invention.

5. Claims 1 recites the limitation “conveying means” in line 4; “a plurality of pixel”, in lines 7; “designating means” and “control means” in lines 8 and 9, and in lines 14 a “a conveying speed” There is insufficient antecedent basis for this limitation in the claim.

Claim objection

6. Claim 1 objected to because of the following informalities: line 9 of claim 1, “conveying means; “. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (USP 5917578) in view of Satou (USP 5, 745,254).

With respect to claim 1, Nakamura discloses an image reading apparatus (as shown in 2 of fig 1), comprising: a light source for illuminating an original to

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be read by the image reading apparatus with a plurality of images recorded on the image to be read, (light source 18 of fig 1);

conveying means (16A and 16B of fig 1, see col.4, lines 43-45), for conveying the original to be read, wherein the plurality of images (film 40 of fig 2), sequentially come to be located at a predetermined reading position, see (col.4, lines 45-48);

an image sensor (CCD 22 of fig 1) for separating each image recorded on the original to be read into a plurality of pixels reading the pixels and outputting image data, see (col.4, lines 55-60);

designating means (sensor 22 of fig 1), for designating an image to be read among the plurality of images, see col.4, lines 53-60).

Nkamura does not disclose control means for controlling the conveying means, wherein the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read comes to be located at the predetermined reading position, and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read.

However, Satou discloses control means (motor 22 of fig 2) for controlling the conveying means, see (step feed fig 4, of the document by the motor 22 of fig 2, with timing of scans by the image sensor 12 of fig 2), see (col.6, lines 10-15) in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read, see (col. 1, lines 28- 31, see also fig 1), or a vicinity thereof comes to be

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located at the predetermined reading position and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read, see (col.6, lines 10-15, as shown in fig 1).

Since Nakamura and Satou are both directed to the same field of endeavor, namely an image reading device, such as copy and facsimile machine for optically reading image from original document, the purpose of having an image reader that includes control means for controlling the conveying means in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read would have been recognized by Nakamura as set forth by Satou.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the controller to control the conveying means of Nakamura as taught by Satou, by replacing convey control motor 22 of fig 2, of Satou in place of conveying control 30 of fig 1, of Nakamura for the purpose of the document feed speed and the scanning speed would not have get out of synchronization, so that the document would not jammed and the reproduced image may not be distorted to the extent in the auxiliary scanning direction.

With respect to claim 2, Nakamura et al. discloses an image reading apparatus, (as shown in fig 1) wherein a plurality of images (film 40 of fig 1), to be read are designated by the designating means, (CCD 22 of fig 1), and in a

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case where in reading the images successively reading conditions for the second one of two adjacent images to be read cannot be set before starting to read the second image to be read the control means (30 of fig 1) controls the conveying means (16A and 16B of fig 1, see col.5, lines 19-22), in such a manner that the position of the original (film 40 of fig 1) to be read is returned to a position where the reading conditions can be set, see (col.5, lines 18-20).

With respect to claim 3, Nakamura et al. discloses an image reading apparatus (as shown in fig 1), wherein the reading conditions include the speed at which the conveying means (16A and 16B of fig 1, see col.5, lines 18-20) conveys the original (film 40 of fig 1) to be read.

With respect to claim 4, Nakamura et al. discloses an image reading apparatus (as shown in fig 1) wherein the original (film 40 of fig 1) to be read is conveyed at high speed after completion of reading of the image to be read, see (col.5, lines 18-20).

With respect to claim 5, Nakamura et al. discloses an image reading apparatus (as shown in fig 1) wherein the original (film 40 of fig 1) to be read is conveyed at high speed after completion of reading of the image to be read, see (col.5, lines 18-20).

With respect to claim 6, Nakamura et al. discloses an image reading apparatus (as shown in fig 1), wherein the original to be read is conveyed at high speed after completion of reading of the image to be read, see (col.5, lines 8-20).

With respect to claim 7, Nakamura et al. discloses an image reading apparatus (as shown in fig 1), wherein the reading conditions are set for each of the images to be read, see (col.5, lines 11-14).

With respect to claim 8, Nakamura et al. discloses an image reading apparatus (as shown in fig 1) wherein the reading conditions are set for each of the images to be read, see (col.5, line 18-20).

With respect to claim 9, Nakamura et al. discloses an image reading apparatus (as shown in fig 1) wherein the reading conditions are set for each of the images to be read, see (col.5, lines 18-20).

With respect to claim 10, Nakamura et al. discloses an image reading apparatus (as shown in fig 1) wherein the reading conditions are set for each of the images to be read, see (col.5, lines 18-20).

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With respect to claim 11, Nakamura et al. discloses an image reading apparatus as shown in fig 1), wherein the reading conditions are the same for all of the images to be read, see (col.5, lines 18-20).

With respect to claim 12, Nakamura et al. discloses an image reading apparatus (as shown in fig 1), wherein the reading conditions are the same for all of the images to be, see (col.5, line 18-20).

With respect to claim 13, Nakamura et al. discloses an image reading apparatus (as shown in fig 1), wherein the reading conditions are the same for all of the images to be read, see (col.5, lines 18-20).

With respect to claim 14, Nakamura et al. discloses an image reading apparatus (as shown in fig 1), wherein the reading conditions are the same for all of the images to be read, see (col.5, lines 18-20).

With respect to claim 15, Nakamura et al. discloses an image reading apparatus (as shown in fig 1) wherein on the basis of the reading start position for the image to be read, see (col.5, 18-20).

Nkamura does not disclose control means for controlling the conveying means in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read or a vicinity thereof comes to be located at the

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predetermined reading position, and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read.

However, Satou discloses control means (motor 22 of fig 2) for controlling the conveying means, see (step feed fig 4, of the document by the motor 22 of fig 2, with timing of scans by the image sensor 12 of fig 2), see (col.6, lines 10-15) in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read, see (col. 1, lines 28- 31, see also fig 1), or a vicinity thereof comes to be located at the predetermined reading position and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read, see (col.6, lines 10-15, as shown in fig 1).

Since Nakamura and Satou are both directed to the same field of endeavor, namely an image reading device, such as copy and facsimile machine for optically reading image from original document, the purpose of having an image reader that includes control means for controlling the conveying means in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read would have been recognized by Nakamura as set forth by Satou.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the controller to control the conveying means of Nakamura as taught by Satou, by replacing convey control

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motor 22 of fig 2, of Satou in place of conveying control 30 of fig 1, of Nakamura for the purpose of the document feed speed and the scanning speed would not have get out of synchronization, so that the document would not jammed and the reproduced image may not be distorted to the extent in the auxiliary scanning direction.

With respect to claim 16, Nkamura does not disclose control means for controlling the conveying means in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read or a vicinity thereof comes to be located at the predetermined reading position, and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read.

However, Satou discloses control means (motor 22 of fig 2) for controlling the conveying means, see (step feed fig 4, of the document by the motor 22 of fig 2, with timing of scans by the image sensor 12 of fig 2), see (col.6, lines 10-15) in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read, see (col. 1, lines 28- 31, see also fig 1), or a vicinity thereof comes to be located at the predetermined reading position and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read, see (col.6, lines 10-15, as shown in fig 1).

Since Nakamura and Satou are both directed to the same field of endeavor, namely an image reading device, such as copy and facsimile machine for optically reading image from original document, the purpose of having an image reader that includes control means for controlling the conveying means in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read would have been recognized by Nakamura as set forth by Satou.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the controller to control the conveying means of Nakamura as taught by Satou, by replacing convey control motor 22 of fig 2, of Satou in place of conveying control 30 of fig 1, of Nakamura for the purpose of the document feed speed and the scanning speed would not have get out of synchronization, so that the document would not jammed and the reproduced image may not be distorted to the extent in the auxiliary scanning direction..

With respect to claim 17, Nakamura et al. discloses an image reading method (as shown fig 1) wherein the image to be read is plural images to be read, (as shown fig 1, film 40 of fig 2), and when the plural images to be read are read in succession conveying of the original to be read is controlled (controller 30 control conveyer 16A and 16B of fig 1) be read among adjacent images to be read cannot be set by the starting of reading of the later image to be read, a

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position of the original to be read is returned to a position at which setting of the reading condition of the later image to be read is possible, (col.5, lines 18-20).

With respect to claim 18, Nakamura et al. discloses an image reading method (as shown in fig 1), wherein the reading condition of the later image to be read is a conveying speed of the original to be read, (col.5, lines, 18-20).

With respect to claim 19, Nakamura et al. discloses an image reading method (as shown in fig 1), wherein on the basis of the reading start position for the image to be read, (start position of fig 1), a determination is made as to whether or not the original to be read should be conveyed (16A and 16B of fig 1).

Nkamura does not disclose control means for controlling the conveying means in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read or a vicinity thereof comes to be located at the predetermined reading position, and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read.

However, Satou discloses control means (motor 22 of fig 2) for controlling the conveying means, see (step feed fig 4, of the document by the motor 22 of fig 2, with timing of scans by the image sensor 12 of fig 2), see (col.6, lines 10-15) in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be

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read, see (col. 1, lines 28- 31, see also fig 1), or a vicinity thereof comes to be located at the predetermined reading position and when reading the image to be read the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read, see (col.6, lines 10-15, as shown in fig 1).

Since Nakamura and Satou are both directed to the same field of endeavor, namely an image reading device, such as copy and facsimile machine for optically reading image from original document, the purpose of having an image reader that includes control means for controlling the conveying means in such a manner that the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read would have been recognized by Nakamura as set forth by Satou.

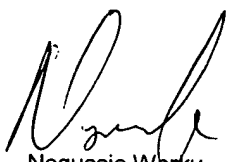
It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the controller to control the conveying means of Nakamura as taught by Satou, by replacing convey control motor 22 of fig 2, of Satou in place of conveying control 30 of fig 1, of Nakamura for the purpose of the document feed speed and the scanning speed would not have get out of synchronization, so that the document would not jammed and the reproduced image may not be distorted to the extent in the auxiliary scanning direction.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Negussie Worku
7/22/06

DOUGLAS Q. TRAN
PRIMARY EXAMINER

